

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

TYERONE DAVON STEPHENS,

Plaintiff,

v.

JOHN MOORE,

Defendant.

CIVIL ACTION NO.: 5:20-cv-63

ORDER

This matter is before the Court on the United States Marshals Service's Unexecuted Return as to Defendant. On January 15, 2021, this Court ordered the United States Marshals Service to personally serve Defendant with a copy of Plaintiff's Complaint. Doc. 16. The Court has been informed the Marshals Service sent the Court a copy of the unexecuted return on Defendant, with the notation: "No longer employed by the Georgia Department of Corrections." However, this return has not been filed upon the record and docket of this case.¹

The Court **ORDERS** the United States Marshals Service to contact the Georgia Department of Corrections and the Office of the Attorney General for the State of Georgia to attempt to determine Defendant's whereabouts. The United States Marshals Service shall provide the Court with a service status update within 30 days of this Order. Plaintiff has already been directed to provide additional information as to the whereabouts of Defendant to assist the Marshals Service. Doc. 16 at 2. Plaintiff has not responded to that Order. The Court forewarns Plaintiff, if the Marshals Service is unable to locate Defendant after contacting the Attorney

¹ The Court **DIRECTS** the Clerk of Court to file the unexecuted return concerning Defendant upon the record and docket in this case.

General and the Georgia Department of Corrections, his claims against Defendant will be subject to dismissal. Fed. R. Civ. P. 4(m).

SO ORDERED, this 9th day of August, 2021.

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', is positioned above a horizontal line.

BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA